IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE TWENTY THIRD DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1093 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 23/03/2004 in WP NO : 5230 OF 2004 on the file of the High Court.)

Between:

B.Venkateswara Prasad, s/o Narayana Rao,
r/o Vijayawada (Patamata), Krishna District.

..... APPELLANT

AND

1 The Joint Collector, Krishna District, Machilipatnam.
2 The District Panchayat Officer & Member Convenor District Level Committee, Machilipatnam,
Krishna District.
3 The Asst.Director of Mines and Geology, Vijayawada, Krishna District.
4 The District Level Committee for Sand Auctions, rep., by its Chairman, Zilla Parishad, Machilipatnam,
Krishna District.
5 P.D.G.Prasad, s/o Venkatappaiah,
r/o Ravi Anantavaram, Penumudi Post, Repalle Mandal, Guntur District.

.....RESPONDENT(S)

Counsel for the Appellant: MR.P.JAGADISH CHANDRA PRASAD

Counsel for the Respondent Nos.1 to 3: G.P. for Panchayat Raj

Counsel for the Respondent No.4: MR.SRINIVAS DAMMALAPATI

Counsel for the Respondent No.5: None appeared

The Court made the following Oral Order: (per Sri Devinder Gupta,CJ)

Challenge in this writ appeal is to the order passed by the learned single judge in disposing of the appellant's writ petition with direction to the appellant to execute lease agreement with the concerned respondent and thereafter to approach the 4th respondent in case of difficulty in quarrying the sand as per the lease agreement.

There is no lease agreement executed as yet. Therefore, no right has accrued to the appellant/writ petitioner so far as quarrying of sand is concerned, which right can only accrue to him after the lease is executed. In case, appellant is aggrieved by any action of the respondents subsequent to the order impugned in this writ appeal, the remedy of the appellant will be to challenge the same in appropriate proceedings.

The appeal, is, therefore, dismissed. No costs.

DEVINDER GUPTA,CJ

DATE: 23rd JULY, 2004

C.V. RAMULU,J

pnb

To

1. The Joint Collector, Krishna District, Machilipatnam.

2 The District Panchayat Officer & Member Convener District Level Committee, Machilipatnam, Krishna District.

3 The Asst.Director of Mines and Geology, Vijayawada, Krishna District. 4 The Chairman, District Level Committee for Sand Auctions, Zilla Parishad, Machilipatnam, Krishna District.

5 2 C.cs. to the Learned Government Pleader for Panchayat Raj, High Court Buildings, Hyderabad.

6 Two C.D. copeis